



Patent  
Attorney Docket: 161,700-088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**BARBUT**

Serial No.: 10/676,814

Filed: September 30, 2003

For: DEVICES AND METHODS FOR  
PREVENTING DISTAL  
EMBOLIZATION DURING  
INTERVENTIONAL PROCEDURES

Group Art Unit: 3763

Examiner: Theodore J. Stigell

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03/19/2007 WASFAW1 00000010 502862 10676814  
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Sir:

I, Diane K. Wong, represent that I am an attorney of record for the above-identified application. CoAxia, Inc. (hereinafter, referred to as "Owner") is the owner of 100% interest in the above-identified invention by virtue of assignment from the inventor in the great-grandparent application, U.S. Serial No. 09/287,252, now U.S. Patent No. 6,146,370. The assignment was recorded in the Patent and Trademark Office on March 6, 2000, on Reel 010661, Frame 0049.

Owner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent Nos. 6,146,370;

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 14, 2007

Date of Deposit  
NB1:710336.1

*Cynthia B. Pacheco*  
Cynthia B. Pacheco

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6,623,471; and 6,626,886. Moreover, Owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,146,370; 6,623,471; and 6,626,886, this agreement to run with any patent granted on the above-identified application and to be binding upon Owner, its successor, or assigns.

Owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,146,370; 6,623,471; and 6,626,886 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Applicant is other than a large entity. The Commissioner is authorized to charge the requisite fee of \$65.00.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: March 14, 2007

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